



**Tennessee Board of Osteopathic Examination
Regular Board Meeting
Wednesday, November 6, 2019**

MINUTES

The regular meeting of the Tennessee Board of Osteopathic Examination (hereinafter, “the Board”) was called to order at 9:00 a.m. in the Poplar Room Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Dr. Michael Wieting.

Members Present: Dr. Michael Wieting, D.O.
Dr. Jan Zieren, DO
Dr. Jeffrey Hamre, D.O.
Dr. Shant Garabedian, D.O.

Staff Present: Rene Saunders, MD, Medical Consultant
Angela Lawrence, Director
Candyce Wilson, Administrative Director
Stacy Tarr, Administrative Director
Brenda Wimberly-Stewart, Board Administrator
Frances Baca-Chavez, Office of General Counsel

RULEMAKING HEARING

The board had a rulemaking hearing on fees, licensure renewal and reinstatement, licensure retirement and reactivation for Osteopathic physicians and X-ray operators in Osteopathic physician’s offices, and CME requirements. Attorney Fran Baca-Chavez took a roll call vote to accept the rules and the amendments. Dr. Wieting, Dr. Hamre, Dr. Garabedian, and Dr. Zieren all voted to accept the rules and amendments. Dr. Kilkelly and Ms. Judd were absent. Please see the attached document for more information on the rulemaking hearing.

APPROVAL OF MINUTES

The Board reviewed the minutes from the August 7, 2019 meeting. Dr. Zieren made a motion to approve the minutes and Dr. Hamre made an amendment to the minutes. Dr. Hamre requested that we add to the minutes that an applicant stated that TMF was a Religious Organization and the representative from TMF clarified that they weren't a Religious organization. Dr. Hamre then seconded the motion with the amendment. The motion passed.

APPLICANT INTERVIEWS

We didn't have any applicant interviews.

CONDUCT NEW BUSINESS

Ratification of New Licensees and Reinstatements

Dr. Garabedian made a motion to approve the list for ratification of licenses as presented. Dr. Hamre seconded. The motion passed.

Presentation by CE Broker

Dr. Garabedian made a motion to participate in the pilot program. Dr. Zieren seconded. The motion passed.

CPEP Conference Representative

Dr. Hamre made a motion that Dr. Zieren be the representative to go to the CPEP Conference providing no other board member wanted to go. Dr. Garabedian seconded. The motion passed.

Application Processes

The Board was given copies of online and paper application. The Board wanted to make the following changes.

1. The board wants the exams listed as follows:
 - COMLEX
 - NBOME
 - USMLE
 - FLEX

The COMLEX and NBOME will need to have a line added to list the certificate number.

2. Profile page 3 Specialty boards the word "medical" should be removed.
3. Application page 4 the Board will adopt the new verbiage that the medical Board has drafted.

Dr. Zieren made a motion to adopt the new verbiage for question 1 page 4 and the following changes be made to page 2 of the application instructions. #11 Medical Examiners need to be changed to Osteopathic Examination and 2 lines down Osteopathic Examinations will need to be capitalized. Dr. Garabedian seconded. The motion passed.

LETTER OF NOMINATION FOR DR. WIETING

Dr. Zieren made a motion to send a letter of nomination to the FSMB nominating committee and Dr. Garabedian seconded. The motion passed.

DEPARTMENTAL REPORTS

Lori Leonard with Office of Investigations presented to the Board:

Currently Monitored Practitioners

- 2 for Reprimand
- 4 on Probation
- 1 on Suspension
- 1 Revoked/Surrendered

Investigations for 2019

47 New Opened Complaints:

- 1 Order violation
- 10 Action in another State
- 10 Malpractice
- 14 Unprofessional Conduct
- 5 Overprescribing
- 2 Consumer Right to Know
- 1 Prescribing to Friends/Family
- 4 Outside of the Scope of Investigations

47 Closed Complaints:

- 1 Closed with a Letter of Concern
- 5 Insufficient Evidence to Discipline
- 9 Closed in Investigations and Sent to OGC
- 24 Closed with No Action
- 8 Closed with a Letter of Warning

26 Opened Complaints that are being investigated and/or reviewing.

No complaints regarding Osteopathic X-ray Examiners

Managers' Report

Ms. Stacy Tarr present to the Board:

Activities that have transpires August 01, 2019 through October 31, 2019

40 New Applications

3 Special Training

2 DO X-ray Operator Applications

67 New License Issued

10 Compact License Issued

5 Reinstatements

182 Renewals - 147 were renewed online-80% online

there are currently 1,837 licensees of which 1,159 have Tennessee mailing address

12 Compact

15 Special Training Licenses

27 Telemedicine Licenses

13 DO X-ray Operators

59 Midwives

Ms. Stacy Tarr explained the TN Cloud to the board and informed them how we will send their reports and files. She also reminded the Board to be sure to complete their proxy form.

Financial report for the Osteopathic Examination Board

Butch Jack introduced Ms. Maria McCormick; she will be taking the position of Noranda French who has taken another position for the state. He then gave the following financial year end report for The Board of Osteopathic Examination.

Payroll Expenditures - \$76,435.77

Other Expenditures - \$41,147.13

Total Direct Expenditures - \$117,582.90

Administration - \$50,232.39

Investigations - \$66,698.16

Legal - \$18,030.76

Cash Office - \$901.41

Total Allocated Expenditures - \$135,862.72

Total Expenditures - \$235,445.62

Board Fee Revenue -- \$365,678.81

Current year Net - \$102,233.19

LARS improvement - \$3,182.86

Cumulative Carryover - \$ 978,836.88

Office of General Counsel Report

The Office of General Counsel report was presented by Ms. Frances Baca-Chavez:

Ms. Baca-Chavez reminded the Board of the Conflict of Interest Policy. There are twenty-eight (31) open litigation cases against eight (12) Osteopathic Physicians. Twenty-four (23) are involving allegations of over-prescribing. There are five (4) open cases against Midwives. No pending litigation at this time.

Consent Orders

Tiundra Love, DO – from April 2016 to December 2018 respondent prescribed controlled and non – controlled substances to her daughter, niece and step daughter that were not pursuant to a doctor patient relationship. Respondent admitted to failing to maintain a medical record for each of these patients. From December 2017 through February 2019, the respondent prescribed controlled substances to her husband. The medical record from the Veterans affairs outpatient clinic failed to document the controlled substance prescribed by the respondent. Respondent has to enroll within 60 days in a prescribing course “prescribing Controlled Drugs” fines in the amount of \$52,000 and pay cost for the investigation. The respondent will be reported to the national data Bank and placed on probation. Dr. Garabedian made a motion to accept the order as written. Dr. Zieren seconded. The motion passed. Presented by Jennifer L. Putnam

Lisa Hodgdon- Coomer, CPM - The respondent has admitted to the department’s investigator that she is providing midwifery services for compensation after her certification expired on April 30, 2018. Respondent shall pay a total of \$600.00 dollars Type B civil penalty of one hundred dollars (\$100.00) for each of the six months she provided midwifery services to clients for compensation. Dr. Zieren made a motion to accept the order. Dr. Hamre seconded. The motion passed. Presented by Kyonzte Hughes-Toombs

Agreed Citation

Dan Hunter, DO - respondent failed to obtain 2 hours of required continuing education credits which includes instruction on the departments “Chronic pain Guidelines”. Respondent will pay Forty dollars for each hour for a total of \$80.00 dollars.

No public comments

Meeting Adjourned